

## DECLARATION FOR PATENT RIGHT

Docket number  
BP3028-S21-P94

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TOUCH CONTROLLED LIGHTING EMITTING DEVICE, the specification of which is attached hereto unless the following box is checked:

☐ was filled on \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

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I acknowledge the duty to disclose information which is material to patent ability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a) – (c) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

092200485 (Taiwan) R.O.C. (10/1/2003)(Jan.10, 2003)

☐  
(Number) (Country) (Day/Month/Year filed)

(Number) (Country) (Day/Month/Year filed) ☐

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number) (Filing Date)

(Application Number) (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112.

I acknowledge the duty to disclose information which is material to patent ability as defined in 35 U.S.C. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number) (Filing Date) (Status-patented, pending, abandoned)

(Application Number) (Filing Date) (Status-patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code

Full Name of sole or first inventor (given name, family name) Hsu, Ming-Tay (FAMILY NAME: Hsu)

Inventor's signature Hsu, Ming-Tay Date Sep. 15, 2003

Citizenship TAIWAN, R. O. C.

Mailing Address 235 Chung-Ho Box 8-24 Taipei Taiwan R. O. C.

Residence: City: Tau yuan Hsien State: Taiwan Country: R. O. C.

Full name of second joint inventor, if any (given name, family name) \_\_\_\_\_

Second Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Residence: City: \_\_\_\_\_ State: \_\_\_\_\_ Country: \_\_\_\_\_

☐ Additional inventors are being named on separately numbered sheets attached hereto.

STATEMENT CLAMINING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) – SMALL BUSINESS CONCERN

Docket Number  
BP3028-S21-P94

Applicant, Patentee, or Identifier: \_\_\_\_\_

Application or Patent No: \_\_\_\_\_

Field or Issued: \_\_\_\_\_

Title: **TOUCH CONTROLLED LIGHTING EMITTING DEVICE**

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Foluck International Co., Ltd

ADDRESS OF SMALL BUSINESS CONCERN \_\_\_\_\_  
No.3, Chung Tai Road, Chung Li City, Tau Yuan Hsien, Taiwan, R.O. C.

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above  
☐ the application identified above.  
☐ The patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person concern, or organization exists.  
☐ each such person, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Hsu, Ming-Tay

TITLE OF PERSON IF OTHER THAN OWNER \_\_\_\_\_

ADDRESS OF PERSON SIGNING 235 Chung - Ho Box 8-24 Taipei Taiwan R. O. C.

SIGNATURE Hsu, Ming-Tay DATE Sep. 15, 2003